

**REMARKS**

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-19 are currently pending in the application and subject to examination.

**Rejection under 35 U.S.C. § 103(a)**

In the outstanding Office Action, claims 1-8 and 14-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tran et al., U.S. Patent No. 6,282,145 (hereinafter, "Tran"), in view of Morris et al., U.S. Patent No. 6,573,936 (hereinafter, "Morris"). Claims 9-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tran and Morris as applied to claim 1 and in further view of Yamazaki et al., U.S. Patent No. 6,556,475 (hereinafter, "Yamazaki"). The Applicant hereby traverses the rejections, as follows.

Tran discloses a solid state image pickup device, which, according to the Examiner, inherently includes a number of photoelectric conversion elements disposed in a light receiving area of a semiconductor substrate in a matrix shape in a first number of rows and columns (see *Office Action*, pp. 2-3).

Tran further discloses an analog to digital converter block "A/D CONVERTER 2002" for digitizing the analog electrical signal into digital data, and a multilevel memory IC system 2000 in which the digital data is stored. See *Tran*, col. 6, lines 23-24 and 41-54.

The Examiner asserts that Tran discloses the non-volatile memory 2000 having memory units, each corresponding to one of the photoelectric conversion elements. As noted above, Tran discloses recording the digital image data in the memory system

2000, but is silent as to whether there is one memory unit provided per alleged “inherent” photoelectric conversion element.

The Examiner looks to col. 7, lines 11-13 of Tran to teach the above mentioned feature. Specifically, the Examiner asserts that by teaching storage of uncompressed audio data, Tran teaches “memory units, each corresponding to one of the photoelectric conversion elements.” See *Office Action*, p. 3.

However, col. 7, lines 11-13 of Tran are specifically directed to an electronic audio system “SILICONCORDER 2007” in which a “MICROPHONE 2012” converts a sound wave into an analog electrical signal, which is filtered to reduce non-audio signals, the filtered audio signal is then digitized, and the digital data is stored in the memory 2000 in compressed or uncompressed form. However, Tran makes no such assertion whatsoever with respect to video image data.

Thus, it appears that in the outstanding Office Action, the cited portion (i.e., col. 7, lines 11-13) of Tran, which refers to filtered audio data only, has been taken and applied completely out of context.

As previously noted, Morris and Yamazaki also fail to disclose memory units, each corresponding to one of the photoelectric conversion elements, as recited in the claimed invention.

Further, in making the rejections, the Examiner asserts that “a semiconductor substrate” recited in claim 1 corresponds to “an integrated circuit system ECAM 2005” of Tran. However, Tran discloses that “the optical block LENS 2004” is “to be integrated in a single chip with the ECAM 2005”. The disclosure of Tran therefore demonstrates that the ECAM 2005 cannot correspond to the semiconductor substrate in claim 1 of the

present invention because the optical block LENS 2004 cannot be formed on a silicon substrate. Accordingly, the "IMAGE SENSOR 2003" of Tran should correspond to "a solid state image pickup device" as recited in claim 1 of the present invention. However, the ECAM 2005 of Tran has a separate "IMAGE SENSOR 2003" and "NONVOLATILE MEMORRY 2000", and Tran discloses merely a conventional method of integrating components of a digital camera on one chip and does not disclose or suggest a solid state image pickup device with a built-in non-volatile memory, as recited in independent claim 1.

For at least these reasons, the Applicant submits that claim 1 is allowable over the applied art of record. As claim 1 is allowable, the Applicant submits that claims 2-19, which depend from allowable claim 1, are likewise allowable for at least the reasons set forth above with respect to claim 1.

### **Conclusion**


For all of the above reasons, it is respectfully submitted that claims 1-19 are in condition for allowance and a Notice of Allowability is earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing client matter number 107317-00060.

Respectfully submitted,

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